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C O N F I D E N T I A L MANAGUA 001904

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WHA FOR ANN BORST G/IRF; GREG MAGGIO G/DRL

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TAGS: [PHUM](#) [PREL](#) [KCRM](#) [KDEM](#) [PGOV](#) [NU](#)
SUBJECT: CATHOLIC CHURCH LEADER IN NICARAGUA ON HUMAN
RIGHTS, JUSTICE, AND POLITICS

REF: MANAGUA 001730

Classified By: Ambassador Paul A. Trivelli for reasons 1.4 (b and d)

¶1. (C) SUMMARY: Monsignor Bernardo Hombach, Catholic archbishop of the diocese of Granada offered his assessment of the human rights situation in Nicaragua, citing a corrupt judicial system, a government run on political patronage, and illegal narcotics trafficking as the gravest challenges facing the country. He also shared his views on former president and convicted felon Arnoldo Aleman, who was one of his parishioners when Aleman was mayor of Managua. Acknowledging that some members of the Catholic Church had succumbed to Aleman's temptations, Hombach is opposed to any members of the church accepting government largesse and professed his adherence to a strict separation of church and state, no matter who is in power. Monsignor Hombach also asserted that the United States had missed an opportunity to demonstrate its commitment to human rights and the rule of law by not bringing closure in the Nemagon case, in which Nicaraguan banana workers employed by U.S. companies were allegedly exposed to a dangerous pesticide that had been banned in the United States. END SUMMARY

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Corruption, Cronyism, and Drugs
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¶2. (C) In a recent meeting with poloff to discuss human rights, democracy, and religious freedom in Nicaragua, Monsignor Hombach (a German citizen who has spent over 40 years in Latin America and 20 years in Nicaragua) shared his primary concerns facing the country. Starting off on a positive note, Hombach asserted that Nicaragua has made greater strides than many of its neighbors in terms of security, is a much safer place to live than other countries in the region, and boasts a professionalized national police force superior to many other developing countries he knew. He lamented, however, that even with this progress, the ineffective administration of justice--with the prevalence of corrupt judges--is the weakest link in supporting human rights in Nicaragua and an obstacle to progress in general. Even when the Nicaraguan National Police (NNP) is doing its job, as soon as the "hands of justice" become involved, the system breaks down. He made a point of noting that this is not a problem that could be attributed to any government in particular, but rather has been a chronic syndrome festering for years. One reason, he offered, is that many of the judges who entered the system during the 1990s were young when they took the bench, and because they were products of or exposed

to a communist system during the 1980s, they had "no concept of justice."

13. (C) He recalled that when he was bishop in the town of Juigalpa (1987 to 1991), the human rights commissions sponsored by USAID and the NGO Catholic Relief Services had a very positive impact and were an effective means of eradicating corruption by encouraging citizen participation. Although normally people were too afraid to denounce public officials out of fear of recrimination, the commissions provided a space that allowed people to speak openly against crooked judges in the same room as chiefs of police, army leaders, mayors, and fellow members of the community. He witnessed seeing one judge fleeing the scene in tears after being accused before a commission of trying to solicit a bribe. The archbishop held that these public commissions were an important check on maintaining honesty and transparency in the Courts, and provided an antidote to corruption. Although the commissions were initially backed by the Organization of American States (OAS), Monsignor Hombach surmised that the Inter-American body had subsequently "lost interest" in them, which he found disappointing.

14. (C) Poloff solicited Hombach's views regarding the administration of justice in the case of American citizen Eric Volz who was found guilty of the brutal murder of his Nicaraguan ex-girlfriend, sentenced to the maximum penalty of 30 years in prison, and currently awaiting an appeal in the Granada Court (reftel). Monsignor Hombach voiced his concerns about due process in the case, but did not appear to have a thorough grasp of the details about the trial and was unaware that the appeal trial would be held in Granada. He confessed that his knowledge of the Volz case was limited to what he read in the papers. Before the trial, Volz's mother had visited Hombach to ask for his intervention and to meet with Eric. Since Hombach was out of the country for medical reasons during the trial and sentencing, he never did visit him, which he now regretted. He reassured poloff that he was going to try to visit Eric to hear "his side of the story." (Note: As reported in reftel, Volz has been denied access to one of his attorneys, private physician, the media, and friends. Human rights organizations have also complained of having restricted access to other prisoners during the last three months. End Note.)

15. (C) Monsignor Hombach cited government firings as another grave problem with human rights implications. Noting that it is still too soon to tell in which direction the "ship of state" was headed, Hombach disapproved of the Ortega administration's tactic of replacing workers in various government institutions with Sandinista loyalists, which he regretted was sacrificing professionalism in favor of party politics. He reported receiving complaints from parishioners who felt intimidated and worried about losing their jobs, saying that the government is "already going after them." This was fueling a climate of instability, uncertainty, and fear. He did not want to suggest that any previous parties in power were "any different," but rather that partisan cronyism is an unfortunate Nicaraguan tradition.

16. (C) The third major concern Hombach raised was the scourge of narcotics trafficking which he regarded as a grave threat to Nicaraguan society. (Note: The topic of illegal drug trafficking as a societal threat was the central theme of his homily during the Sunday mass following the meeting with poloff. End Note.) The archbishop lamented that in remote places like San Juan del Norte, communities of fisherman and shrimpers were being corrupted by the more lucrative trade in "white gold." Some mayors essentially have been "bought" by the drug cartels, while others are afraid to take any action, and have adopted a "see, hear, and say no evil" stance. He observed that people are living in fear of traffickers and that the lack of employment opportunities is a contributing factor to the spread of the drug trade. The high-level of corruption associated with narcotics is further poisoning the judicial system. He also found it difficult to believe that the corruption stopped at

the U.S. border, speculating that there must be officials inside the U.S. who are complicit or "looking the other way;" how else to explain the tons of drugs entering the U.S. market with all the anti-narcotics controls and heightened security in place. Hombach admitted to poloff that he is in favor of legalizing drugs, reasoning that Prohibition in the United States had done more to help the mafia and organized crime than to end consumption of alcohol.

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Raising the Specter of Nemagon
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17. (C) Monsignor Hombach expressed his regret that the United States had missed an opportunity to demonstrate leadership on human rights by not acting on behalf of the victims in the controversial ongoing Nemagon case, in which Nicaraguan banana workers employed by U.S. companies were exposed to a carcinogenic pesticide that had been banned by the Environmental Protection Agency in 1979. Invoking the German philosopher Immanuel Kant, the archbishop asserted that United States ought to show "justice is justice" and bring resolution to this case.

18. (C) (Note: To date, Nicaraguan courts have ruled that, under Special Law 364 passed in 2001, Dow, Shell, and Dole must pay \$886 million in claims to affected workers in Chinandega. Another \$32.5 billion in claims are pending. A local court also ruled to revoke Dole's trademark in Nicaragua, an issue that subsequently has been resolved. Although the Embassy has been able to remain an effective neutral party to this ongoing case, some human rights activists and NGOs still have this issue on their agenda, and President Ortega has cited the case as part of his anti-imperialist harangues. In his speech early August announcing his willingness to negotiate the destruction of SAM-7s in exchange for medical supplies, Ortega worked in a populist reference to the Nemagon case. He admonished that the United States must not send expired or obsolete medicines, but rather "the latest generation of medicine to treat cancer...and send us a good supply of medicine to treat those brothers (sick from Nemagon), protesting before the National Assembly and victims of pesticides produced in the U.S. that have come to poison our people." End Note.) By raising this example in the context of a discussion on human rights, Hombach reminded us that the languishing Nemagon case is still a politically charged issue.

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Reflections on Arnaldo
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19. (C) Given the archbishop's concerns about corruption and his conviction about the separation of church and state, poloff broached the subject of former Arnaldo Aleman and his relations with the Catholic Church. Monsignor Hombach recalled that when Aleman was mayor of Managua, he used to attend mass at his parish in El Crucero and continued to receive Hombach "with respect" when he became president. Although he had felt a sense of pride when one of his own parishioners was elected president, he believed that Aleman subsequently had damaged the image and spiritual credibility of the Catholic Church. He acknowledged that the Aleman administration had attempted to "buy people" including from within the Church, but made it clear that he disapproved of what he termed "getting in bed with the government." Although he himself was offered gifts, he always refused them. Advocating a strict separation of Church and state, he emphasized that the Church has no business accepting gifts from politicians--whether on the right or the left. He recalled that the Ministry of Transportation under Aleman offered sweet deals on cement that had been requisitioned to use for public road construction. Liberal Party members loyal to Aleman purchased the cement at a fraction of the market price and built enormous luxury houses at a deep discount. Although he was offered the same deal on the

cement, he declined.

Cardinal Obando y Bravo

¶10. (C) Monsignor Hombach personally disapproves of former Cardinal Obando y Bravo's acceptance of the position to head the Ortega administration's Peace and Reconciliation Council, which he regards as a violation of the separation of church and state. Ultimately, however, he does not think the Council will amount to anything and is more a symbolic creation than a functioning entity. He finds it odd to see this alliance between President Ortega and the Cardinal, and is skeptical of the arrangement, but does not think it was his place to question the sincerity of Ortega's religious conversion, nor criticize Obando y Bravo.

Relations with Evangelicals

¶11. (C) Turning to the theme of freedom of religion and the Catholic Church's relations with evangelicals, Hombach confided that for the most part, the Catholic Church enjoys a good relationship with evangelical leaders, but that some of the more "militant" leaders openly attack the Catholic Church. Although some evangelical leaders have complained to the Embassy that the government gives the Catholic Church preferential treatment, Hombach argued that it is difficult for the government to know who the evangelicals are since they represent so many different denominations. He also argued that the evangelicals are more political than Catholics as they have their own political party and are represented in the National Assembly by elected deputies. While there are Catholics in the National Assembly, they were not elected to represent the Catholic Church. He mused whether speaking out against the Catholic Church is the evangelicals' "best way to serve God." He also disputed the numbers of evangelicals, insisting they represented between 15 and 20 percent of the population, not the upwards of 30 percent that some evangelical leaders claim. This does not suggest, however, that the remaining 75 to 80 percent are Catholics. Wryly noting that, historically, the periods of persecution are the "best times" for the Catholic Church, he joked that when Aleman was his parishioner, all he asked for was a little persecution against the Catholics "once in a while." Hombach expressed concern that some evangelical groups in Nicaragua and elsewhere throughout Latin America are receiving encouragement from the United States Government, which in his opinion, was regrettably helping to "divide the Latin American people."

Comment

¶12. (C) As an influential and respected leader of the Catholic Church community in Granada, but also a foreigner, Hombach offers an alternate perspective on life in Nicaragua and its political intrigue. Contrary to some of our other contacts in the Nicaraguan religious community who often tell us what they think we want to hear, Hombach feels no such obligation nor any compunction about speaking his mind, even if critical of U.S. policies. While Hombach is skeptical of some of the Ortega government's first moves, he seems to be carefully staying above the fray by not casting judgment on or favoring one political party over another.

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